

REMARKS

Reconsideration of the above-identified application, as amended, is respectfully requested.

In the Official Action dated December 28, 2004, which is an Ex Parte Quayle action, the Examiner objected to the disclosure as comprising an inconsistency with the characterization of the line level and via level dielectrics in paragraph [0038] as compared to the reference of these elements in a prior paragraph [0031]. In response, applicants have amended the disclosure in paragraph [0038] to correctly indicate the line level dielectric as element 31 and the via level dielectric as element 32.

The Examiner is respectfully requested to remove the objection to the disclosure.

Furthermore, applicants have canceled unelected Claims 11-20 in response to the Examiner's suggestion, and reserve the right to file a divisional application to further pursue these claims.

As this application is now believed to be in condition for allowance, a Notice of Allowance is respectfully requested. If the Examiner believes a telephone conference might expedite prosecution of this case, it is respectfully requested that he call applicant's attorney at (516) 742-4343.

Respectfully submitted,



Steven Fischman  
Registration No. 34,594

SCULLY, SCOTT, MURPHY & PRESSER  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343  
SF:gc